

LAW LIBRARY OF CONGRESS  
RIGHTS OF PEOPLE WITH DISABILITIES  
PAKISTAN  
*SUMMARY*

In the wake of the UN declaration of 1981 as the Year of the Disabled Person, the Pakistan government engaged in an awareness campaign which culminated in the national **Disabled Persons (employment and Rehabilitation) Ordinance 1981** ("Ordinance"). This legislation primarily provides guidelines and sets out implementation policies including those previously adopted by NGOs. The Ordinance established the National Council and Provincial Councils whose main tasks are to formulate and implement policies. Oversight rests with the National Council. The primary focus lies on government administered disability assessment, job referral system, employment exchange, and training/rehabilitation programs partly funded through a tax levied on employers for not meeting the hiring quota. Covered are employers with more than 100 employees.

**Scope of Coverage.**

The provisions of the Ordinance govern employment and rehabilitation, training, funding, and administrative processes. In particular

- Operative definitions, such as "disability", "disease", "commercial establishment", and "council";
- Authority and jurisdiction of the National Council and provincial councils;
- Enforcement authority;
- Certification of nature and degree of disability and job qualification;
- Referral system and employment exchange;
- Hiring quota of 1% and levy in the amount of one full salary in lieu of meeting quota;
- Disability Fund (levies, donations, grants);
- Use of Disability Fund and accounting;
- Duties and responsibilities of NGOs;
- Training programs, training centers, rehabilitation;
- Enforcement.

## **Legislative Objective.**

The Ordinance is in the nature of a governmental **integration policy and social legislation**, reflecting society's obligation as a provider for meeting basic needs. This objective is reflected in:

- No emphasis on individual civil right
- Government control over training, employment, and rehabilitation;
- Taxation of "evaders" and legal enforcement.

## **Public Policy Implementation.**

Implementation and oversight are entrusted to the **National Council** and **Provincial Councils**. These are large representative bodies with members from all walks of life.

Provincial Council are responsible for

- Formulating policies and advising local government agencies;
- Implementing referral systems, employment exchanges, training programs;
- Administering allocated financing from the Disability Fund.

The National Council is responsible for

- Exercising oversight over provincial councils;
- Formulating national policies;
- Administering national funds.

## **Enforcement and Remedies.**

The National Council and provincial councils may complain in their own right with the Magistrate First Class alleging violation of the Ordinance.. Non-payment of salary equivalent into the Disability Fund is punishable with a fine.